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**Director's Office
Group 2700**

JOHN F WARD
WARD & OLIVO
708 THIRD AVENUE
NEW YORK, NY 10017

In re Application of:)
Donald Delp, et al.)
Application No.: 09/036,721)
Filed: March 6, 1998)
For: INTEGRATED BUILDING CONTROL)
WITH INFORMATION SYSTEM WITH)
WIRELESS NETWORKING)

**DECISION ON REQUEST TO
WITHDRAW AS ATTORNEY**


This is a decision on the Request To Withdraw from Representation filed October 25, 1999.

A grantable request to withdraw as attorney of record should indicate thereon the present mailing addresses of the attorney(s) who is/are withdrawing from the record and of the applicant. The request for withdrawal must be signed by every attorney seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a). The effective date of withdrawal being the date of decision and not the date of request. See M.P.E.P. § 402.06. 37 C.F.R. § 1.36 further requires that the applicant or patent owner be notified of the withdrawal of the attorney or agent.

A review of the record reveals that the Revocation and Power of Attorney filed August 13, 1998, was improperly accepted since it was not signed by all of the inventors. See MPEP § 402.10. The attorneys presently requesting withdrawal were notified in a Decision dismissing a petition filed under 37 CFR 1.47 that the above-referenced Revocation and Power of Attorney was improper and that the acceptance of the revocation of power of attorney was revoked. Therefor, the attorneys presently requesting withdrawal are not attorneys of record.

For the above stated reasons, the request is **DISMISSED AS MOOT**.

All future communications from the Office will continue to be directed to the above-listed address unless the Office receives proper notification of a change in Power of Attorney and/or correspondence address.


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